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5 | Attorneys for Defendant Johnson Mai

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES,
12 Plaintiff
13 v.
14 JOHNSON MAI,
15 a/k/a Zhi Xiong Mai
16 a/k/a Uncle Hong,
17 a/k/a Chi Hong Mak,
18 a/k/a Hong Suk;
19 LISA LEE,
20 a/k/a Xiao Ling Li;
21 KAI LUN ZHENG,
22 a/k/a Wai Keung Cheung,
a/k/a Su Ming,
a/k/a Alan Zheng;
ZHI EN HUANG,
a/k/a Gao Lo;
DAVID YUEN,
a/k/a Lo Wu,
a/k/a Wu So Gor; and
ERIC YU HENG CAI
Defendants.
No: 3-06-70479 MAG
[PROPOSED] ORDER AND STIPULATION
FOR CONTINUANCE FROM FEBRUARY
26, 2008 TO MARCH 11, 2008 AND
EXCLUDING TIME FROM THE SPEEDY
TRIAL ACT CALCULATION (18 U.S.C. §
3161(h)(8)(A) AND WAIVING TIME
LIMITS UNDER RULE 5.1

With the agreement of the parties, and with the consent of the defendants, the Court enters this order scheduling a status conference on March 11, 2008 at 9:30 a.m. before the duty magistrate judge and documenting the defendants' waiver of the preliminary hearing date under Federal Rule of Criminal Procedure 5.1 and the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(ii) and (iv), from February 26, 2008 to and through March 11, 2008. The parties agree, and the Court finds and

1 || holds, as follows:

2 1. The case is very complex and involves international transactions and shipments, foreign
3 banks and complex monetary transactions, extensive wiretap evidence and conversations in different
4 Chinese language dialects. There are multiple defendants and discovery is voluminous. All defense
5 counsel involved are in need of additional time to prepare the case. Furthermore, the government and
6 defense counsel are actively involved in negotiating the final terms of a global settlement that will
7 resolve all pending charges and forfeiture claims involving all defendants before the court and
8 additional time is necessary to seek approval of the proposed plea and forfeiture agreements with the
9 government.

10 2. All defendants agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §
11 3161(h)(8)(B)(ii) on the basis of complexity and (iv) continuity of counsel for effective preparation
12 taking into account the exercise of due diligence.

13 3. The defendants waive the time limits of Federal Rule of Criminal Procedure 5.1 for
14 preliminary hearing.

15 4. Accordingly, and with the consent of all parties, the Court (1) alternatively sets a
16 preliminary hearing before the duty magistrate judge on March 11, 2008 at 9:30 a.m. and (2) orders that
17 the period from February 26, 2008 to and through March 11, 2008 be excluded from the time period for
18 preliminary hearings under Federal Rule of Criminal Procedure 5.1 and from Speedy Trial Act
19 calculations under 18 U.S.C. § 3161(b).

21 IT IS SO STIPULATED:

23 DATED: February 21, 2008 /s/ Garrick Lew
GARRICK LEW
Attorney for Defendant Johnson Mai

25 DATED: February 21, 2008 /s/ Gil Eisenberg
26 GIL EISENBERG
Attorney for Defendant Kai Lun Zheng

27 DATED: February 21, 2008 /s/ Brian Getz
28 BRIAN GETZ
Attorney for Zhi En Huang

1 DATED: February 21, 2008 /s/ Stuart Hanlon
2 STUART HANLON
Attorney for David Yuen

3 DATED: February 21, 2008 /s/ Randy Montesano
4 RANDY MONTESANO
Attorney for Eric Cai

IT IS SO ORDERED.

4 DATED: _____ United States Magistrate Judge